

OLC 73-1365

27 NOV 1973

Mr. James Hyde
Office of Legislative Reference
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Hyde:

Enclosed is a copy of our report on H. R. 4294 and H. R. 6364
which was cleared for forwarding on 16 November 1973 by
Mr. George Gilbert of your office.

Sincerely,

STATINTL



Legislative Counsel

Enclosure

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CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

23 NOV 1973

The Honorable F. Edward Hebert, Chairman
Committee on Armed Services
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

This is in response to your request for our views and recommendations on H.R. 4294 and H.R. 6364, which provide additional retirement benefits for certain members of the Armed Forces and for certain Federal employees.

Both bills authorize additional service credit for retirement equal to the time spent as a prisoner of war or in a missing person status in Southeast Asia during the Vietnam conflict. While both bills apply to military members of the Armed Forces, H.R. 4294 covers all Federal employees and H.R. 6364 is limited to Central Intelligence Agency employees covered by the CIA Retirement Act of 1964 for Certain Employees.

We take no position on the merits of these proposals; however, we do feel that if legislation of this nature is to be enacted it should be applied equitably to both military personnel and all civilian employees and not limited to those who serve under a particular Federal staff retirement system. Without such uniform application, inequities could arise in a single agency, such as CIA where some employees are covered by the Civil Service system and others by the CIA retirement system. H.R. 4294 would avoid such inequities.

In addition, we note that while the legislation applies to former military members, it does not apply to former civilian employees. We are not aware of any reason for such a distinction.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

SIGNED

W. E. Colby
Director

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